

REMARKS/ARGUMENTS:

Claims 1-13 and 18-25 have been indicated as presently pending in the instant office action. However, to be clear on the record, Applicants respectfully invite the Examiner to the preliminary amendment reflected in the Image File Wrapper of PAIR as received on February 15, 2008, which also adds claim 26. Applicants filed this amendment as a matter of right, and such amendment was accepted (without objection) well before consideration of the instant rejections. Therefore, Applicants provide herewith an amendment based on the claims that **should be** presently pending, claims 1-13 and 18-26 (which incidentally should result in no additional rejections based on the cancellation of claim 26 in the present amendment).

Claims 1 to 11 and 14 to 26 have been cancelled. Claims 12 and 13 have been amended, support for which may be found, for example, throughout the specification as well as in claims 12 and 13 as originally filed. In particular, claim 13 has been amended solely to refer to claim 12 rather than the cancelled claim 1.

Accordingly, claims 12 and 13 will be pending upon entry of the instant amendments. *No new matter has been added.*

Moreover, amendment and/or cancellation of the claims during pendency of the application are not to be construed as acquiescence to any of the objections/rejections set forth in any Office Action, and were done solely to expedite prosecution of the application. Applicants submit that claims were not added or amended during prosecution of the instant application for reasons related to patentability. Applicants reserve the right to pursue the claims as originally filed, subsequently amended or added, or similar claims, in this or one or more subsequent applications.

Claim Rejections under 35 USC §112**Rejection of Claims 18, 19, and 21 under 35 USC §112, First Paragraph**

Claims 18, 19, and 21 stand rejected under 35 USC §112, first paragraph. In particular, the Office Action indicates on page 2 that "...the specification, while being enabling for the treatment of colorectal cancer, does not reasonably provide enablement for the treatment of

other cancers, or diseases related to Aurora kinases.” Applicants respectfully disagree. However, solely to expedite prosecution, Applicants have cancelled claims 18, 19, and 21.

As such, Applicants respectfully request withdrawal of the rejection of claims 18, 19, and 21 under 35 USC §112, first paragraph, and favorable reconsideration.

Rejection of Claims 1-10, 13 and 18-21 under 35 USC §112, Second Paragraph

Claims 1-10, 13 and 18-21 stand rejected under 35 USC §112, second paragraph. In particular, the Office Action indicates on page 5 that claims 1-10, 13 and 18-21 are “...indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.” Applicants respectfully disagree. However, solely to expedite prosecution, Applicants have cancelled claims 1-10 and 18-21, and claim 13 has been amended to depend from claim 12 (which was indicated to be allowable by the Examiner on paragraph 4 at page 7 of the instant Office Action).

As such, Applicants respectfully request withdrawal of the rejection of claims 1-10, 13 and 18-21 under 35 USC §112, second paragraph, and favorable reconsideration.

Claim Objections

Claims 11 and 22-24 have been objected to as being dependent on a rejected base claim, but “would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim.” Applicants explicitly reserve their right to pursue these claims, or similar claims, in this or one or more subsequent applications.

Request for Phone Interview

Once the Examiner has had an opportunity to review the comments made herein, Applicants respectfully request a phone interview in order to discuss any final details that may help result in an allowance of the application with all pending claims.

CONCLUSION

With regard to the objections raised by the Examiner in the Office Action, Applicants note that the instant amendment makes moot all of the rejections/objections raised, and should therefore place the application in order for allowance. Accordingly, Applicants respectfully request favorable reconsideration and allowance of all pending claims. Passage of the instant application to issuance is earnestly solicited. As noted above, if a telephone conversation with Applicants' attorney would help to expedite the prosecution of the above-identified application, the Examiner is urged to call Applicants' attorney at the telephone number below.

No additional fees are believed due at this time; however, should any additional fees be required, the Commissioner is hereby authorized to charge any deficiency in the fees or credit any overpayment to deposit account No. 50-3231, referencing Attorney Docket No. 100938-1P US.

Respectfully submitted,
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